

Election Procedures Review  
Of  
**Wahkiakum County**  
State of Washington  
2005 Primary Election



Conducted by the  
Office of the Secretary of State  
Election Certification and Training Program



# Introduction

The Washington State Legislature enacted legislation in 1992 mandating that the Office of the Secretary of State review county election procedures and practices. The Election Certification and Training Program was established within the Elections Division of the Office of the Secretary of State to conduct reviews and to provide for the certification of election administrators. In 2005, the Legislature expanded the Election Certification and Training Program to require that each County Auditor's Office be reviewed at least once every three years.

The election review process is governed by RCW 29A.04.510 through 29A.04.590 and Chapter 434-260 of the Washington Administrative Code. Reviews are conducted at regular intervals in conjunction with a county primary, special or general election, at the direction of the Secretary of State.

Pursuant to RCW 29A.04.570(1)(b), the Election Certification and Training Program conducted an election review in Wahkiakum County during the 2005 General Election cycle. Sheryl Moss, Program Manager, represented the Election Certification and Training Program during the review. Diane Tischer, Wahkiakum County Auditor, and other members of the staff participated on behalf of the Wahkiakum County Auditor's Office.

Wahkiakum County allowed the reviewer to thoroughly review and examine all aspects of the election processes. The county provided documentation and materials during the review which greatly contributed to a successful examination process.

Both the reviewer and the Wahkiakum County Auditor's Office approached the review in a spirit of cooperation. The State commends the Wahkiakum County Auditor's Office for its organization and preparation in making the review process a positive and useful experience.

Contents of this report are based on observations of election practices and procedures and on interviews with county election personnel. The reviewer obtained information based on the actual observation of a particular procedure, based on verbal explanation or written procedures. In all cases, the predominant concern is whether or not the county's actions constitute compliance with the intent of statutes and rules.

The purpose of this review report is to provide Wahkiakum County Auditor's Office with a useful evaluation of its election procedures and policies and to encourage procedural consistency in the administration of elections throughout the state. This review report includes a series of recommendations and/or suggestions that are intended to assist Wahkiakum County in improving and enhancing its election processes.

The reviewer is statutorily prohibited from making any evaluation, finding, or recommendation regarding the validity of any primary or election or of any canvass of the election returns. Consequently, this review report should not be interpreted as affecting, in any way, the validity of the outcome of any election or of any canvass of election returns.

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# Section 1

## Overview and Recommendations

In the course of this review, the reviewer observed pre-election procedures, election procedures, post-election procedures, and canvassing and certification procedures. Comments regarding some of these observations are noted here and recommendations follow these observations.

It should be noted that the recommendations contained in this review are primarily designed to enhance or provide written documentation of good existing procedures. Other recommendations have been made to help the county establish procedures that will protect its interests in the event the integrity of any of the county's election procedures are called into question.

Wahkiakum County is the smallest county in the western portion of the state. They changed to all mail elections in the summer of 2005.

The County Auditor and the Chief Deputy handle most of the election duties and have some extra help during Election Time.

The County Auditor and her staff were found to be extremely conscience in the administration of their elections, especially in implementing all the new changes required by statute and rule in 2005. Because of their limited staff and time, an error occurred in another area—two unopposed positions were left off the General Election ballot. Separate paper ballots were issued to correct the error.

As Wahkiakum County's written procedures are several year out-of-date, the review was based on observed procedures, verbal descriptions, and examination of election materials.

The recommendations in this report are merely fine tuning a good operation and have little impact on the overall administration of elections. The review staff was impressed with Wahkiakum County's commitment to the integrity of the election.

The following recommendations and suggestions should improve and enhance the county's election procedures and policies.

## Review Recommendations

### 1. Ballot Instructions

Ballot instructions are listed on the face of each of Wahkiakum County's ballots. Separate instructions are not provided with the ballot package.

WAC 434-250-040 requires the following to be included with ballot instructions for the voter:

“...(b) How to complete and sign the affidavit on the return envelope;  
(c) How to make a mark, witnessed by two other people, if unable to sign the affidavit;  
...(e) How to obtain a replacement ballot if the original ballot is destroyed, spoiled or lost;  
...(g) Notice that, in order for the ballot to be counted, it must be either postmarked or deposited at a designated place no later than election day, and providing the location, dates, and times for depositing the ballot as an alternative to mailing the ballot...”

**Recommendation:** *The following items need to be added to the ballot instructions: How to complete and sign the oath, how to make a mark if the voter cannot sign their name, how and where to obtain a replacement ballot, when the ballot must be postmarked, where and when drop off locations are available. These additional instructions may be added to those printed on the ballot itself, on a separate sheet of paper, or on the security envelope.*

### 2. Deposit Sites

A deposit site is set up in the County Auditor's Office. No other site is provided.

WAC 434-250-320 states:

“**Deposit sites.** A county auditor conducting a county-wide election entirely by mail must provide at least one site for the deposit of ballots in addition to the county auditor's office. All deposit sites must meet the requirements of WAC 434-250-100.”

**Recommendation:** *At a minimum, one other drop-off location should be available to voters 7:00 a.m. – 8:00 p.m. on Election Day.*

3. **Political Party Observer Training**

Wahkiakum County does not provide political party observer training.

RCW 29A.12.120 states:

**Election officials—Instructions, compensation, requirements.** (1) Before each state primary or general election at which voting systems are to be used, the county auditor shall instruct all precinct election officers appointed under RCW [29A.44.410](#), counting center personnel, and political party observers designated under RCW [29A.60.170](#) in the proper conduct of their duties.

(2) The county auditor may waive instructional requirements for precinct election officers, counting center personnel, and political party observers who have previously received instruction and who have served for a sufficient length of time to be fully qualified to perform their duties. The county auditor shall keep a record of each person who has received instruction and is qualified to serve at the subsequent primary or election.

(3) As compensation for the time spent in receiving instruction, each precinct election officer who qualifies and serves at the subsequent primary or election shall receive an additional two hours compensation, to be paid at the same time and in the same manner as compensation is paid for services on the day of the primary or election.

(4) Except for the appointment of a precinct election officer to fill a vacancy under RCW [29A.44.440](#), no inspector or judge may serve at any primary or election at which voting systems are used unless he or she has received the required instruction and is qualified to perform his or her duties in connection with the voting devices. No person may work in a counting center at a primary or election at which a vote tallying system is used unless that person has received the required instruction and is qualified to perform his or her duties in connection with the handling and tallying of ballots for that primary or election. No person may serve as a political party observer unless that person has received the required instruction and is familiar with the operation of the counting center and the vote tallying system and the procedures to be employed to verify the accuracy of the programming for that vote tallying system.

**Recommendation:** *Wahkiakum County should schedule training for each election, notifying the major political parties of the training. Such training should be scheduled for each election, even if no one attends.*

4. **Letters to local jurisdictions**

Wahkiakum County does not send questionnaires to local jurisdictions each year.

WAC 434-215-005 states:

**Filing information—Questionnaire—Compiling and dissemination.** Prior to May 1 of each year, the county auditor shall send a questionnaire to the administrative authority of each local jurisdiction for which the auditor is the candidate filing officer subject to the provisions of RCW [29A.04.320](#) and [29A.04.330](#). The purpose of the questionnaire shall be to confirm information which the auditor may disseminate to the public regarding the filing for elective offices. The questionnaire should request, as a minimum, confirmation of offices to be filled at the general election that year, the name of the incumbent, the annual salary for the position at the time of the filing period, and the statutory reference for candidate eligibility. Responses should be received prior to June 1 of that year so that the filing information can be compiled and disseminated to the public at least two weeks prior to the candidate filing period.

**Recommendation:** *Contacting each district will provide annual contact with each district and verify the county's records for each district. The county should send out letters to each jurisdiction before May 1 of each year.*

5. **Canvassing Board Delegation/Manual**

The Wahkiakum County Canvassing Board has delegated the processing of absentee ballots, in good detail, to the County Auditor. The County Auditor has taken more of the Canvassing Board's responsibilities than just processing absentee ballots. Additionally, they have a canvassing board manual, but it is very out of date.

RCW 29A.60.040 states in part:

“... (2) The county canvassing board may adopt rules that delegate in writing to the county auditor or the county auditor's staff the performance of any task assigned by law to the canvassing board.

(3) The county canvassing board may not delegate the responsibility of certifying the returns of a primary or election, of determining the validity of challenged ballots, or of determining the validity of provisional ballots referred to the board by the county auditor.

(4) The county canvassing board shall adopt administrative rules to facilitate and govern the canvassing process in that jurisdiction...”

**Recommendation:** *The written delegation of canvassing board responsibilities to the County Auditor should be expanded to include all those performed by the County Auditor, such as vote-by-mail ballots, provisional ballots, ballot duplication, and recounts. Such delegation should be included in a canvassing board manual. A canvassing board manual provides documentation and consistency in canvassing board decisions. Wahkiakum County should update their canvassing board manual.*



# Section 2

## Suggestions

The following are suggestions for increasing efficiency and improving operations with the county auditor's office. Although these suggestions do not address issues involving compliance with state laws or administrative rules, the reviewer identified the tasks discussed in the section as areas of election administration in which the county auditor might improve the efficiency and operation of the office.

### **1. Procedures Manual**

Wahkiakum County does not have an up-to-date procedures manual. Such a manual is essential for a successfully run Elections Department. Wahkiakum County is not alone in needing a good procedures manual--other counties are also working on this issue.

The county should make creating a comprehensive, step-by-step procedures manual a very high priority. It should be written in a format that will allow the manual to be utilized by any person new to performing a task. The manual is not only important to new people performing a task, but there are many tasks in elections that are performed very infrequently. The manual will assist in both these areas. Additionally, the manual will provide consistency and document the County's compliance with election laws.

The manual should include policies and procedures for all aspects for administering elections and should include, but not be limited to, the following:

- Voter registration
- Candidate filing
- Ballot layout and order
- Absentee and vote-by-mail
- Resolutions for special elections
- Polling places and board workers
- Ballot accountability
- Internal ballot tabulation testing
- Emergency procedures
- Counting center procedures
- Media
- Certification
- Provisional voting

**2. Staffing**

In the opinion of this reviewer, the Elections Department is understaffed. There is only the Auditor and the Chief Deputy Auditor, with the help of temporary staff, to ensure that voter registration and elections are run correctly from start to finish. The Auditor and Chief Deputy Auditor also have extensive responsibilities in Recordings, Licensing, and Accounting. They do not have time to adequately address certain critical areas of elections administration.

At least one permanent half-time position should be added, though this reviewer would prefer a full-time position. Such a position, devoted entirely to Elections, would be available during non-election times to work on projects such as the important procedures manual and other tasks

Adequate staffing is essential in the completion of all the steps needed to accomplish the important details that provide accurate, secure elections. The 2004 Governor's race has shown that attention to detail and accurate counting methods must be priority goals in any election. The current staffing levels have difficulty in accomplishing all the required tasks in the short period of time allotted.

**3. Facility**

One of the most important tools for providing accurate, secure elections is adequate workspace. While there is a conference room that provides workspace for processing and counting ballots, this space must also be used for the public to access records in the vault.

Additionally, Wahkiakum County does not have adequate secure storage for ballots and supplies. Their very small locking closet that does not have enough space to store locked and sealed containers of voted ballots as well as all other ballot supplies.

Wahkiakum County must find adequate space for the Elections Division that includes a secured area for storing ballot materials and voted ballots, an area for temporary employees, and adequate work areas for all responsibilities of the department.

## Section 3

### County Response

April 12, 2006

Sheryl Moss  
Program Manager  
Secretary of State  
P.O. Box 40232  
Olympia, WA 98504

Sheryl,

In the following statements please find my respond to your review recommendations.

1. Ballot Instructions

In years past we've always provided separate instruction sheets. After talking with my printer we decided to include instructions on the ballots. Those instructions were not printed on the ballots for 2005. I've discussed with my printer and the instructions will be included on the ballots for future elections.

2. Deposit Sites

In accordance with WAC 434-250-330 County auditor's office as a polling place. (l) For elections conducted entirely by mail, services that would have been provided at the polling place must, at a minimum, be provided at the county auditor's office, including provisional ballots. That is the WAC that I went by feeling that I had to have one polling place, with the Primary coming up I will make arrangements to have a second site.

3. Political Party Observer Training

Training has been provided to the political party observers before the counting of ballots at each election. Notification to the parties has not been done but will be in the future.

4. Letters to local jurisdictions

Letters have been sent to jurisdictions as of April 1, 2006. This procedure will be done each year for now forward.

5. Canvassing Board Delegation/Manual

In reference to RCW 29A.60.140 the written delegation sheet will be revised to include all procedures, vote-by-mail ballots, provisional ballots, ballots duplication and recounts. The canvassing board manual will be updated.

Sincerely,

Diane L. Tischer  
Wahkiakum County Auditor

## Section 4

### Conclusion

Wahkiakum County provides accurate, well-run elections with the resources available to them. In addition to the regular responsibilities, they strive to provide extra service and outreach for their voters.

Wahkiakum County does not have a person on staff dedicated to the administration of elections. Currently, the Auditor and her chief deputy handle most of the duties. They also must divide their time between Elections, Licensing, Recordings, and Financial Services functions of the Auditor's Office. They do not have the time to devote to all the essential parts of a well-run elections division, such as comprehensive written procedures for their office and the canvassing board. Such a person would provide the extra staff time needed to ensure all steps are followed on a checklist, freeing the Auditor for her other duties.

Limited space to conduct election has been the cause of errors in other counties. The Auditor needs a larger secure area dedicated entirely to Elections. Such an area needs to be large enough to store all election supplies and provide adequate workspace to process the ballots. The space must be secure and not accessible to the public.

Improvements in personnel and workspace in combination with the recommendations in their report will greatly improve their election operation.

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Review Report Prepared by:

Sheryl Moss  
Certification and Training Manager  
Office of the Secretary of State

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Date

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Signature